

51306/757:1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Alexander M. McQueen

Serial No.: 10/659,960

Filed: September 10, 2003

For: OMNI-DIRECTIONAL OPTICAL
CODE READER USING SCHEIMPFLUG
OPTICS

)
) **Group Art Unit:** 2878

)
) **Examiner:** Yam, Stephen K.

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The following are comments on the Examiner's Statements of Reasons for Allowance included with the Notice of Allowance dated May 25, 2005 (hereinafter "the Statement").

The Statement refers to "the invention as claimed" and then paraphrases certain steps of the method of Claim 30. However, these steps and limitations are not present in other claims, such as, for example, Claims 15, 22 and 35 which are directed to an optical reader and not a method and Claim 29 which includes steps of focusing and arranging but no step of projecting.

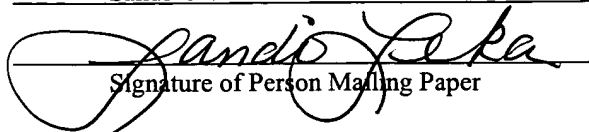
CERTIFICATE OF MAILING

(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope as addressed to: Mail Stop Issue Fee, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

June 15, 2005
Date of Deposit

Sandi Iekar


Signature of Person Mailing Paper

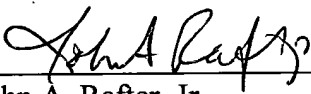
Thus it is submitted that the Statement refers to aspects or limitations that are not present in most or any of the claims.

In any event, it is submitted that the claims, both independent and dependent, include limitations which provide combinations which are distinguished from the items of record.

Therefore it is submitted that the claims are patentable over the items of record.

Respectfully submitted,

Dated: June 15, 2005

By: 
John A. Rafter, Jr.
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